UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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ART UNIT	PAPER NUMBER
3687	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/569,761	VON HELMOLT ET AL.
Office Action Summary	Examiner	Art Unit	
	OLUSEGUN GOYEA	3687	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

> A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
> - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
> - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
> - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
> Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 March 2009</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>24 February 2006 and 28 August 2008</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☒ Certified copies of the priority documents have been received in Application No. <u>10/569,761</u>.

      3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Priority

Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged.

Prosecution History Summary

This office action is in response to communication filed 03/30/2009. Currently, claims 1-28 are pending. Claims 1, 7, 10, 11, 14, 19, 20, 21 and 25 have been amended.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.

4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar et al. – hereinafter referred to as Kumar) in view of US 7281046 (Sunderasan et al. – hereinafter referred to as Sunderasan).

Referring to **claim 1**, Kumar discloses a data processing method for a customer request comprising:

receiving a request for at least one item from a customer data processing system at a central data processing system; [see col. 4, lines 42-47; col. 5, lines 47-67; col. 6, lines 30-33; col. 11, lines 5-8]

generating a plurality of sub-requests for a plurality of partner systems where each sub-request is associated with at least one item of the request and each sub-request is assigned to an internal or external system by means of rules; [see col. 4, lines 47-65; col. 11, lines 9-11; col. 15, lines 1-18 and 48-57]

generating a response based on association of the sub-responses with the original item; (see col. 4, lines 58-60; col. 11, lines 14-16; col. 15, lines 4-6)

sending the response back to the customer data processing system. (see

col. 4, lines 58-60; col. 11, lines 14-16)

But Kumar does not explicitly disclose the limitations:

generating a separate unique identifier for each of the sub-requests;

storing the unique identifiers being assigned to the sub-requests, in a

retrievable medium with the associated item by the central data

processing system;

sending the sub-requests with the unique identifiers to partner systems;

receiving sub-responses at the central data processing system, each sub-

responses having unique identifiers that is the same as the unique

identifiers of the corresponding sub-request;

matching the sub-response to the sub-request based on the unique

identifiers;

However, Sunderasan teaches a system with the limitations:

generating a separate unique identifier for each of the sub-requests; [see col. 2, lines 55-65; col. 7, lines 35-41]

storing the unique identifiers being assigned to the sub-requests, in a retrievable medium with the associated item by the central data processing system; [see col. 7, lines 46-64]

sending the sub-requests with the unique identifiers to partner systems; [see col. 4, lines 47-56; col. 11, lines 9-11]

receiving sub-responses at the central data processing system, each sub-responses having unique identifiers that is the same as the unique identifiers of the corresponding sub-request; [see col. 2, lines 55-65]

matching the sub-response to the sub-request based on the unique identifiers; [see col. 2, lines 55-65]

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have modified the system according to Kumar to have incorporated the limitations: generating a separate unique identifier for each of the sub-requests; storing the unique identifiers being assigned to the sub-requests, in a retrievable medium with the associated item by the central data processing system;

sending the sub-requests with the unique identifiers to partner systems; receiving sub-responses at the central data processing system, each sub-responses having unique identifiers that is the same as the unique identifiers of the corresponding sub-request and matching the sub-response to the sub-request based on the unique identifiers, in accordance with the teachings of Sunderasan, in order to provide unique identifier to each request and sub-request with matching corresponding response and sub-response to produce a concise and accurate results of data processing, since so doing could be performed readily and easily by any person of ordinary skill in the art, without undue experimentation, nor risks of unexpected results.

Referring to **claim 2**, Kumar discloses the system as applied in the rejection of claim 1 above, wherein said sending of the sub- requests to partner systems further comprises at least one of:

sending a sub-request for a partner search or a partner availability check at item level or; [see col. 4, lines 61-66; col. 6, lines 4-11 and 32-49; col. 7, lines 25-34]

determining at least one business system or an availability check for this system at item level. [see col. 4, lines 61-66; col. 6, lines 4-11 and 32-49; col. 7, lines 25-34]

Referring to **claim 3**, Kumar discloses the system as applied in the rejection of claim 2 above, wherein performing of the partner search is done with the use of functions. (see col. 6, line - col. 7, line 67; col. 7, lines 58-65; – *Functions/rules are pre-defined by the customer/fulfillment server or specified in the request.*)

Referring to **claim 4**, Kumar discloses the system as applied in the rejection of claim 3 above, wherein the functions comprise standard functions, as well as functions of customers and partners. (see col. 6, line 54 - col. 7, line 67)

Referring to **claim 5,** Kumar discloses the system as applied in the rejection of claim 2 above, wherein the partner system which received the request for availability check temporarily reserves a requested resource that has been identified as available. (see col. 10, lines 20-28; col. 13, lines 14-16; col. 17, lines 26-28; col. 18, lines 6-9; col. 18, lines 49-54)

Referring to **claim 6**, Kumar discloses the system as applied in the rejection of claim 5 above, wherein the partner system deletes the reservation for the requested resources unless the central data processing system sends a message if no acceptance is received from the customer within the predetermined time interval. (see col. 13, lines 16-20; col. 17, lines 29-31)

Referring to **claim 7**, it contains similar limitations as set forth in claim 1 and therefore is rejected based on the same rationale.

Referring to **claim 8**, Kumar discloses the system as applied in the rejection of claim 7above, wherein the request comprising the plurality of items is processed in a looping mode. (see col. 4, lines 35-41; col. 7, lines 58-65; col. 16, lines 28-50)

Referring to **claim 9**, Kumar discloses the system as applied in the rejection of claim 1 above, wherein the request for the at least one item has a structure of an order-like document that comprises: -a header section; -at least one item; -at least one schedule line per item comprising information regarding requested by the customer including a delivery date and a quantity. [see col. 11, lines 23-25 and 63-67; cols. 12-14]

Referring to **claim 10**, Kumar discloses the system as applied in the rejection of claim 1 above, wherein generating the plurality of sub-requests for a plurality of partner systems includes criteria defined by the customer. (see col. 7, lines 58-60; col. 8, lines 4-8; col. 11, lines 18-38)

Referring to **claim 11**, Kumar discloses the system as applied in the rejection of claim 1 above, further comprising the following operations conducted prior to sending the response back to the customer data processing system:

comparing at least one sub-response to the preferred choice specified by a customer; (see col. 7, lines 58-67; col. 8, lines 1-8; col. 10, lines 15-20; col. 15, lines 48-57)

selecting a preferred choice from the group consisting of the at least one sub- response. (see col. 7, lines 58-67; col. 8, lines 1-8; col. 10, lines 15-20; col. 15, lines 48-57)

Referring to **claim 12**, Kumar discloses the system as applied in the rejection of claim 11 above, wherein the act of selecting the preferred choice is based on the customer's preferences. (see col. 7, lines 58-67; col. 8, lines 1-8; col. 10, lines 15-20)

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar), as applied to claim 11 above, in view of US 7281046 (Sunderasan) and further in view of US 5649103 (Datta et al. – hereinafter referred to as Datta)

Referring to **claim 13**, Kumar and Sunderasan disclose the system as applied in the rejection of claim 11 above. But neither Kumar nor Sunderasan explicitly discloses the limitation: wherein asynchronous communication means are used and the sub-responses are aggregated in the database until all sub-responses have been received.

However. Datta teaches a system with the limitation: wherein asynchronous communication means are used and the sub-responses are aggregated in the database until all sub-responses have been received. (see col. 3, lines 13-15, 29-34 and 37-48)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have modified the combination of Kumar and Sunderasan to have included the limitation: wherein asynchronous communication means are used and the sub-responses are aggregated in the database until all sub-responses have been received, in accordance with the teachings of Datta, in order to use an asynchronous means to aggregate responses in a database until all sub-responses are received, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Claims 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar) in view of US 7281046 (Sunderasan).

Referring to **claim 14**, it contains similar limitations as set forth in claim 1 and therefore is rejected based on the same rationale.

Referring to **claim 15**, Kumar discloses the system as applied in the rejection of claim 14, wherein a central data processing system further comprises interfaces for communication between a sales system, the purchasing system, the manufacturing

system, the planning system and other internal or external systems. (see col. 33, lines 13-20; col. 36, lines 10-24 – *The various components of the order fulfillment system communicate via various interfaces over the network.*)

Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar), as applied to claim 14 above, in view of US 7281046 (Sunderasan) and further in view of US 5649103 (Datta)

Referring to **claim 16**, Kumar and Sunderasan disclose the system as applied in the rejection of claim 14 above. But neither Kumar nor Sunderasan explicitly discloses the limitation: further comprising asynchronous communication means to use database tables for storage of the sub- responses.

However, Datta teaches a system with the limitation: further comprising asynchronous communication means to use database tables for storage of the sub- responses. (see col. 2, lines 61-67; col. 3, lines 1-4 and 20-28)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have modified the combination of Kumar and Sunderasan to have included the limitation: further comprising asynchronous communication means to use database tables for storage of the sub- responses, in accordance with the teachings of Datta, in order to use an asynchronous means to aggregate responses in a database until all sub-responses are received, since so doing could be performed readily and

easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 17**, Kumar and Sunderasan disclose the system as applied in the rejection of claim 16 above. But neither Kumar nor Sunderasan explicitly discloses the limitation: wherein the means of generating a response based on association of the sub-responses with the original item and sending the response back to the customer data processing system, in case of the asynchronous communication, are applied only when all the requested sub-responses are collected in the database.

However. Datta teaches a system with the limitation: wherein the means of generating a response based on association of the sub-responses with the original item and sending the response back to the customer data processing system, in case of the asynchronous communication, are applied only when all the requested sub-responses are collected in the database. (see col. 2, lines 61-67; col. 3, lines 1-4, 13-15, 20-28 and 31-42)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have modified the combination of Kumar and Sunderasan to have included the limitation: wherein the means of generating a response based on association of the sub-responses with the original item and sending the response back to the customer data processing system, in case of the asynchronous communication, are applied only when all the requested sub-responses are collected in the database, in accordance with the teachings of Datta, in order to use an asynchronous means to

aggregate responses in a database until all sub-responses are received, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 18**, Kumar and Sunderasan disclose the system as applied in the rejection of claim 17 above. But neither Kumar nor Sunderasan explicitly discloses the limitation: wherein the asynchronous communication means are to execute a query to determine if all necessary sub-responses have been collected.

However. Datta teaches a system with the limitation: wherein the asynchronous communication means are to execute a query to determine if all necessary sub-responses have been collected. (see col. 2, lines 61-67; col. 3, lines 1-4, 13-15, 20-28 and 31-42)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have modified the combination of Kumar and Sunderasan to have included the limitation: wherein the asynchronous communication means are to execute a query to determine if all necessary sub-responses have been collected, in accordance with the teachings of Datta, in order to use an asynchronous means to aggregate responses in a database until all sub-responses are received, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 19**, it contains similar limitations as set forth in claim 1 and therefore is rejected based on the same rationale.

Claims 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 7249044 (Kumar) in view of US 5649103 (Datta) and further in view of US 7281046 (Sunderasan).

Referring to **claim 20**, Kumar discloses a data processing system for processing a request, the data processing system comprising:

> -means for selecting an asynchronous or a synchronous communication mode for communication with partner computer systems, (see col. 4, lines 35-38; col. 7, lines 58-61)

> -means for splitting the request into a set of sub-requests, wherein each sub-request is associated with at least one item of the request. (see col. 4, lines 42-50; col. 7, lines 58-62; col. 11, lines 9-11)

> means for sending the response. (see col. 4, lines 58-60; col. 11, lines 14-16)

But Kumar does not explicitly disclose the limitations:

synchronous communication means being adapted to send a first one of the sub- requests of the set of sub-requests to one of the partner computer systems, wait for the respective sub-response from the one of the partner computer systems and send a second one of the sub-requests of the set of sub-requests to one of the partner computer systems after the sub-response has been received, wherein the sub-responses are stored in a random access memory with the associated item by the data processing system.

asynchronous communication means being adapted to send the sub-requests in parallel to the partner computer systems, store respective sub-responses of the partner computer systems in a database on a non-volatile storage device with the associated item by the data processing system, means for combining the sub-responses to generate a response to the request,

means for generating a first unique identifier for each of the sub-requests, the first unique identifiers are generated by the data processing system;

means for generating a second unique identifier for each of the sub-responses, the second unique identifiers are identical to the first unique identifier of the corresponding sub-request; and

means for sending the response, wherein generating the response to the request is performed by matching the sub-responses to the sub-requests based on the first and second unique identifiers.

However. Datta teaches a system with the limitations:

synchronous communication means being adapted to send a first one of the sub- requests of the set of sub-requests to one of the partner computer systems, wait for the respective sub-response from the one of the partner computer systems and send a second one of the sub-requests of the set of sub-requests to one of the partner computer systems after the sub-response has been received, wherein the sub-responses are stored in a random access memory with the associated item by the data processing system. (see col. 1, lines 28-33; col. 5, lines 4-6 – *This is functionally equivalent to the synchronous communication mode.*)

asynchronous communication means being adapted to send the sub-requests in parallel to the partner computer systems, store respective sub-responses of the partner computer systems in a database on a non-volatile storage device with the associated item by the data processing system, means for combining the sub-responses to generate a response to the request, (see col. 3, lines 13-40; col. 5, lines 4-6)

In addition, Sunderasan teaches a system with the limitations:

>means for generating a first unique identifier for each of the sub-requests, the first unique identifiers are generated by the data processing system; [see col. 2, lines 55-65; col. 7, lines 35-41]

>means for generating a second unique identifier for each of the sub-responses, the second unique identifiers are identical to the first unique identifier of the corresponding sub-request; and [see col. 2, lines 55-65; col. 7, lines 35-41]

>means for sending the response, wherein generating the response to the request is performed by matching the sub-responses to the sub-requests based on the first and second unique identifiers. [see col. 2, lines 55-65; col. 7, lines 35-41]

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have modified the system of Kumar to have included the limitations: synchronous communication means being adapted to send a first one of the sub- requests of the set of sub-requests to one of the partner computer systems, wait for the respective sub-response from the one of the partner computer systems and send a second one of the sub-requests of the set of sub-requests to one of the partner computer systems after the sub-response has been received, wherein the sub-

responses are stored in a random access memory with the associated item by the data processing system; asynchronous communication means being adapted to send the sub-requests in parallel to the partner computer systems, store respective sub-responses of the partner computer systems in a database on a non-volatile storage device with the associated item by the data processing system, means for combining the sub-responses to generate a response to the request; means for generating a first unique identifier for each of the sub-requests, the first unique identifiers are generated by the data processing system; means for generating a second unique identifier for each of the sub-responses, the second unique identifiers are identical to the first unique identifier of the corresponding sub-request; and means for sending the response, wherein generating the response to the request is performed by matching the sub-responses to the sub-requests based on the first and second unique identifiers., in accordance with the teachings of Datta and Sunderasan, in order to provide using a specified communication mode and unique identifiers to each request and sub-request with matching corresponding response and sub-response to produce a concise and accurate results of data processing, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 21**, Kumar discloses the system as applied in the rejection of claim 20, wherein the means for selecting the asynchronous or synchronous

communication mode comprises a set of rules to be applied on the request. (see col. 4, lines 35-38; col. 7, lines 58-65)

Referring to **claim 22**, Kumar discloses the system as applied in the rejection of claim 21 above, wherein the means for splitting the request into a set of sub-requests uses the set of rules for the splitting operation. (see col. 4, lines 42-50; col. 7, lines 58-65; col. 11, lines 9-11)

Referring to **claim 23**, Kumar discloses the system applied in the rejection of claim 20 above. But Kumar does not explicitly disclose the limitation: wherein the asynchronous communication means is to check the database for completeness for each incoming sub-response.

However. Datta teaches a system with the limitation: wherein the asynchronous communication means is to check the database for completeness for each incoming sub-response. (see col. 2, lines 61-67; col. 3, lines 1-4 and 29-40)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: wherein the asynchronous communication means is to check the database for completeness for each incoming sub-response, in accordance with the teachings of Datta, in order to ensure the completeness of the response to each item request, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claim 24**, Kumar discloses the system as applied in the rejection of claim 23 above. But Kumar does not explicitly disclose the limitation: wherein the asynchronous communication means is to perform the check of the database by performing a database query using the sub-request and sub-response identifiers as keys.

However. Datta teaches a system with the limitation: wherein the asynchronous communication means is to perform the check of the database by performing a database query using the sub-request and sub-response identifiers as keys. (see col. 2, lines 61-67; col. 3, lines 20-40)

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to have adapted the system of Kumar to have included the limitation: wherein the asynchronous communication means is to perform the check of the database by performing a database query using the sub-request and sub-response identifiers as keys, in accordance with the teachings of Datta, in order to ensure the completeness of the response to each item request, since so doing could be performed readily and easily by any person of ordinary skill in the art, with neither undue experimentation, nor risk of unexpected results.

Referring to **claims 25-28**, they contain similar limitations as set forth in claims 20-24 and therefore is rejected based on the same rationale.

Response to Arguments

Applicant's arguments regarding the rejection of claims 1-28 under 35 U.S.C 103(a) based on US 7249044 (Kumar) and US 5649103 (Datta) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection under 35 U.S.C 103(a) is made based US 7249044 (Kumar) in view of US 7281046 (Sunderasan).

Regarding claim 1, Applicant argues that neither Kumar nor Datta teaches or suggests the limitation: generating a separate unique identifier for each of the sub-requests. Applicant explains that the Examiner acknowledges that Kumar fails to disclose "generating a separate unique identifier for each of the sub-requests, instead, the Examiner argues that it would have been obvious to assign a unique identifier to identify where the sub-requests and sub-responses are sent to and received from. The Examiner has failed to provide support for this contention. By failing to provide support for his contention, the Examiner has failed to establish a prima facie case that it would have been obvious to generate "a separate unique identifier for each of the sub-requests."

Further, the Applicant submits that it would not have been obvious to assign to each sub- response or sub-request a unique identifier to identify where the sub-requests and sub-responses are sent to and received from. Specifically, the Applicant cites the Transmission Control Protocol (TCP) as an example of a ubiquitously utilized transfer

protocol. The TCP packet header includes eleven fields. However, none of fields represent a unique identifier for each packet which identify where the sub-requests and sub- responses are sent to and received from, because none of the fields are designated as being unique to the packet. See Id. Specifically, the source port and destination port fields are not unique to each packet. See Id. Packets can have identical field values and still comply with the TCP. See Id. It is conceivable and likely that packets will share identical source port and destination port values as more than one packet is often transferred between the same source and destination ports. Thus, the Applicant submits that it would not be obvious to assign a unique identifier to each sub-request or sub-request as asserted by the Examiner, because in a common communication protocol, such as TCP, this convention is not upheld.

Also, Applicant contends that claims 14 and 19 include elements analogous to those of claim 1 and are patentable over the references for similar reasons as explained above.

In addition, Applicant argues that claims 2-13 and 15-18 depend directly or indirectly from claims 1 or 14 and are not taught or suggested by the cited references.

Regarding claims 20 and 25, Applicant argues that as discussed above in regards to the rejection of claim 1, the Examiner has failed to establish a primafacie case that "generating a separate unique identifier for each of the sub-requests" is obvious based on Kumar. Thus, the combination of Kumar and Datta fails to teach or suggest each element of amended claims 20 and 25.

Regarding claims 21-24 and 26-28, Applicant contends that these claims depend from independent claims 20 and 25, respectively, and incorporate the limitations thereof.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUSEGUN GOYEA whose telephone number is (571)270-5402. The examiner can normally be reached on Monday through Thursday, 8:00am to 5:00pm (ET).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Gart can be reached on (571)272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/O. G./
Examiner, Art Unit 3687
07/01/2009

/Matthew S Gart/
Supervisory Patent Examiner, Art
Unit 3687